

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

| | | |
|------------------------------|---|-------------------------------|
| DR. FREDERICK JOSEPH LANNAK, | : | |
| | : | |
| Plaintiff, | : | |
| | : | |
| v. | : | Civil Action No. 06-180 (JJF) |
| | : | |
| U.S. SENATOR JOSEPH BIDEN, | : | |
| U.S. SENATOR THOMAS CARPER, | : | |
| CONGRESSMAN MICHAEL CASTLE, | : | |
| | : | |
| Defendants. | : | |

**NOTICE BY DEFENDANTS OF WAIVER
OF THEIR RIGHT TO FILE A REPLY BRIEF**

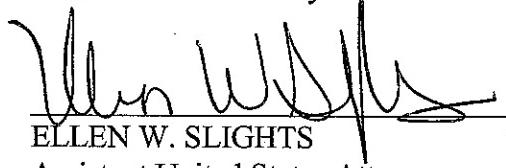
Defendants United States Senator Joseph R. Biden, Jr., United States Senator Thomas R. Carper, and United States Representative Michael N. Castle, through counsel, hereby respectfully provide notice, pursuant to Local Rule 7.1.2(a)(3), that they waive their right to file a reply brief in support of Defendants' Motion to Dismiss [docket # 13]. Defendants filed their motion to dismiss [docket # 13] along with an opening brief in support of that motion (Brief in Support of Defendants' Motion to Dismiss [docket # 14]) on June 26, 2006. On June 29, 2006, plaintiff filed a Motion to Dismiss the Defendants' Motion to Dismiss [docket #15]. Defendants presume that plaintiff's filing should be treated as an answering brief in opposition to their motion to dismiss, as provided in

Local Rule 7.1.2(a)(2). Defendants hereby provide notice that they waive their right to file a reply brief.

Respectfully submitted,

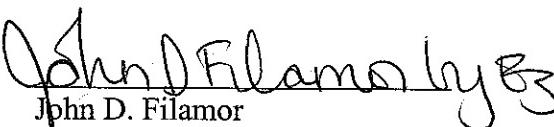
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By:


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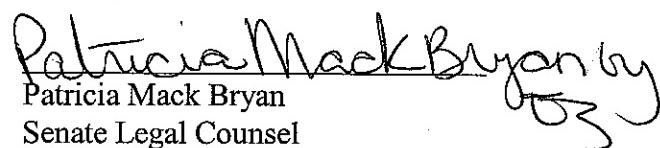
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Dated: July 7, 2006


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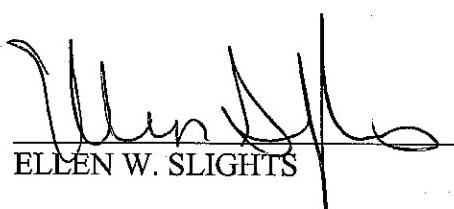
Attorneys for U.S. Senators Joseph
R. Biden, Jr. and Thomas R. Carper

CERTIFICATE OF SERVICE

It is hereby certified that on this 7th day of July, 2006, I caused to be filed the foregoing **NOTICE BY DEFENDANTS OF WAIVER OF THEIR RIGHT TO FILE A REPLY BRIEF** with the Clerk of Court using the Court's electronic filing system (ECF), and that I also caused to be sent via United States Mail, postage prepaid, these documents to the following non-registered party:

Dr. Frederick Joseph Lannak
126D Chestnut Crossing Drive
Newark, DE 19713

Plaintiff *pro se*



ELLEN W. SLIGHTS